

1 A bill to be entitled
 2 An act relating to vessels; creating s. 327.332, F.S.;
 3 requiring vessel operators to reduce speed in
 4 specified hazardous situations; providing penalties;
 5 amending s. 327.73, F.S.; revising civil penalties
 6 relating to certain at-risk vessels and prohibited
 7 anchoring or mooring; providing civil penalties
 8 relating to vessels that fail to reduce speed for
 9 special hazards; providing an effective date.

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 11 Be It Enacted by the Legislature of the State of Florida:

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 13 Section 1. Section 327.332, Florida Statutes, is created
 14 to read:

15 327.332 Special hazards requiring slow speed.-

16 (1) A vessel operator must reduce to slow speed, minimum
 17 wake upon approaching within 300 feet of any emergency vessel,
 18 including, but not limited to, a law enforcement vessel, United
 19 States Coast Guard vessel or auxiliary vessel, fire vessel, or
 20 tow vessel, with its emergency lights activated.

21 (2) A vessel operator must reduce to slow speed, minimum
 22 wake upon approaching within 300 feet of any construction vessel
 23 or barge when workers are present and actively engaged in
 24 operations and an orange flag or yellow flashing light is
 25 displayed from the tallest portion of the vessel or barge.

26 (3) A vessel operator found in violation of this section
 27 is guilty of a noncriminal infraction as provided in s. 327.73.

28 Section 2. Paragraphs (aa) and (bb) of subsection (1) of
 29 section 327.73, Florida Statutes, are amended, and paragraph
 30 (cc) is added to that subsection, to read:

31 327.73 Noncriminal infractions.—

32 (1) Violations of the following provisions of the vessel
 33 laws of this state are noncriminal infractions:

34 (aa) Section 327.4107, relating to vessels at risk of
 35 becoming derelict on waters of this state, for which the civil
 36 penalty is:

- 37 1. For a first offense, \$50.
- 38 2. For a second offense occurring 30 days or more after a
 39 first offense, \$250 ~~\$100~~.
- 40 3. For a third or subsequent offense occurring 30 days or
 41 more after a previous offense, \$500 ~~\$250~~.

42 (bb) Section 327.4109, relating to vessels anchoring or
 43 mooring in a prohibited area, for which the penalty is:

- 44 1. For a first offense, up to a maximum of \$50.
- 45 2. For a second offense, up to a maximum of \$250 ~~\$100~~.
- 46 3. For a third or subsequent offense, up to a maximum of
 47 \$500 ~~\$250~~.

48 (cc) Section 327.332, relating to vessels failing to
 49 reduce speed for special hazards, for which the penalty is:

- 50 1. For a first offense, \$50.

51 2. For a second offense occurring within 12 months after a
52 prior conviction, \$250.

53 3. For a third offense occurring within 36 months after a
54 prior conviction, \$500.

55 4. For a fourth or subsequent offense occurring within 72
56 months after a prior conviction, \$1,000.

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58 Any person cited for a violation of any provision of this
59 subsection shall be deemed to be charged with a noncriminal
60 infraction, shall be cited for such an infraction, and shall be
61 cited to appear before the county court. The civil penalty for
62 any such infraction is \$50, except as otherwise provided in this
63 section. Any person who fails to appear or otherwise properly
64 respond to a uniform boating citation shall, in addition to the
65 charge relating to the violation of the boating laws of this
66 state, be charged with the offense of failing to respond to such
67 citation and, upon conviction, be guilty of a misdemeanor of the
68 second degree, punishable as provided in s. 775.082 or s.
69 775.083. A written warning to this effect shall be provided at
70 the time such uniform boating citation is issued.

71 Section 3. This act shall take effect July 1, 2019.